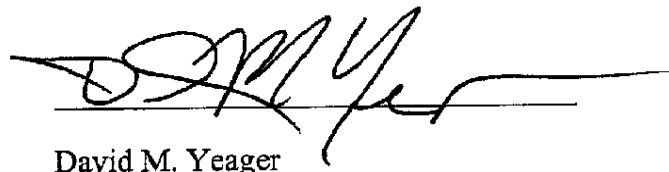


DECLARATION OF TOLEDO MACK SALES & SERVICE, INC.

I, David M. Yeager, state as follows:

1. I am the President of Toledo Mack Sales & Service, Inc. ("Toledo"), and I am authorized to submit this declaration on behalf of Toledo.
2. As indicated in the Declaration and financial statements that Toledo submitted to the Court with its Motion for Stay, at that time Toledo's only substantial unencumbered assets were (1) its receivables, (2) its parts inventory, and (3) its fixed assets, including its real property, machinery, equipment, and furniture. Toledo's truck inventory was already pledged as collateral on its floor plan financing.
3. Subsequent to Toledo's most recent submission in connection with its Motion for Stay, Toledo was required by Fifth Third Bank ("Bank"), the lender that provides a \$1.5 million line of credit from which Toledo obtains working capital and other funds, to pledge its interest in all of its assets, including its receivables, parts inventory, cash, and real property, as collateral for the line of credit because the Bank determined that the line was undersecured and that it would not continue to maintain the line without additional security.
4. On December 1, 2006, General Electric Capital Corporation, the lender that provides Toledo's floor plan financing, sent a letter to Toledo in which it demanded (1) immediate payment in full of all amounts owed on the line of floor plan financing or (2) immediate surrender of the truck inventory pledged as collateral for the financing.
5. Toledo has no remaining unencumbered assets and has no assets that it can pledge as collateral for a \$1 million bond. Toledo has no liquid assets and no cash on hand, as it relies entirely on its line of credit with the Bank for the operating capital necessary for day to day operations and expenses. As of December 1, 2006, the funds withdrawn against the line of credit totaled \$1,294,068.08, leaving available credit under the line of only slightly more than \$200,000. The entire amount of this available credit is needed to cover Toledo's payables for the month of December, including its federal excise tax, state sales tax, pay roll, and sales commission owed.
6. Because of its current financial condition, Toledo is unable to obtain a bond in the amount of \$1 million. Toledo would not likely be able to obtain a bond in any lesser amount.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 4th day of December 2006.



David M. Yeager